



Order Filed on November 7, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
**Caption in Compliance with D.N.J. LBR 9004-1(b)**  
STERN, LAVINTHAL & FRANKENBERG, LLC  
105 Eisenhower Parkway, Suite 302  
Roseland, NJ 07068  
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Fax: (973) 228-2679  
Email: mcozzini@sternlav.com  
Attorney for Secured Creditor,  
Carrington Mortgage Services, LLC  
By Maria Cozzini, Esq.

In Re:

**Stephen Weiss**

**Debtor(s).**

Case No.: 19-10762-MBK

Chapter: 13

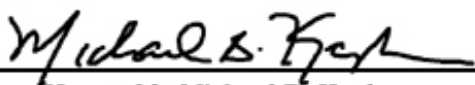
Hearing Date: June 11, 2019

Judge: Michael B. Kaplan

**ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT  
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**

**DATED: November 7, 2019**

  
Honorable Michael B. Kaplan  
United States Bankruptcy Judge

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Debtor: Stephen Weiss

Case No: 19-10762-MBK

Caption: Order Resolving Creditor's Certification of Default With Conditions

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Applicant:	<u>Carrington Mortgage Services, LLC</u>
Applicant's Counsel:	<u>Stern Lavinthal &amp; Frankenberg, LLC</u>
Debtor's Counsel:	<u>Kirsten B. Ennis, Esq.</u>
Property Involved ("Collateral"):	<u>12 Cliffside Drive, Stewartsville, NJ 08886</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 3 months, from July 1, 2019 to September 1, 2019.
- The Debtor is overdue for 3 payments at \$2,694.83 per month.
- The Debtor is overdue for 6 months of cure payments under the prior Order Resolving Motion for Relief entered on September 11, 2019, from July 1, 2019 payable through December 1, 2019.
- The Debtor is overdue for 6 cure payments at \$829.03.
- Less Funds held in debtor(s) suspense \$0.00
- Movant acknowledges receipt of \$7,100.00 after motion was filed.

Total Arrearages Due \$5,958.67.

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on October 1, 2019, regular monthly mortgage payments shall continue to be made in the amount \$2,694.83.
- Beginning on October 1, 2019, additional monthly cure payments shall be made in the amount of \$993.12 for 6 months.

3. Payments to the Secured Creditor shall be made to the following address(es):

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Debtor: Stephen Weiss

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Caption: Order Resolving Creditor's Certification of Default With Conditions

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- ✓ Immediate payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806
  
- ✓ Regular monthly payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806
  
- ✓ Monthly cure payment: Carrington Mortgage Services, LLC  
P.O. Box 3730  
Anaheim, CA 92806

4. In the event of Default:

- ✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within fifteen (15) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.

The fees and costs are payable:

- ✓ through the Chapter 13 plan.

to the Secured Creditor within \_\_\_\_\_ days.

Attorneys' fees are not awarded.

**Certificate of Notice Page 4 of 4**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Stephen Weiss  
Debtor

Case No. 19-10762-MBK  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Nov 12, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 14, 2019.

db +Stephen Weiss, 12 Cliffside Drive, Stewartsville, NJ 08886-3165

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Nov 14, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 12, 2019 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Jeanette F. Frankenberg on behalf of Creditor CARRINGTON MORTGAGE SERVICES, LLC  
cmecf@sternlav.com

Kevin Gordon McDonald on behalf of Creditor Toyota Motor Credit Corporation  
kmcDonald@kmlawgroup.com, bkgroup@kmlawgroup.com

Kirsten B. Ennis on behalf of Debtor Stephen Weiss pacerecf@ennislegal.com,  
r53278@notify.bestcase.com

Maria Cozzini on behalf of Creditor CARRINGTON MORTGAGE SERVICES, LLC mcozzini@sternlav.com  
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 6